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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,344	10/14/2003	W. Todd Daniell	190250-1600	7194
38823 7590 02/06/2007 THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP/ BELLSOUTH I.P. CORP 100 GALLERIA PARKWAY SUITE 1750 ATLANTA, GA 30339			EXAMINER CARLETON, THUY T	
			ART UNIT 2179	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			02/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/686,344	Applicant(s) DANIELL ET AL.	
	Examiner Thuy Carleton	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to amendment filed 01/11/2007 to the original application filed 10/14/2003.
2. Claims 1-23 are pending in this application and have been examined. In this amendment, claims 1-3 and 5-23 are amended. This action is made final.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 9-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As claim 9, a "tangible computer-readable medium" is being recited; however, as disclosed by the specification sections, it is not limited to tangible product. Therefore, it is subjected to non-statutory. The examiner suggests the Applicant to change "a tangible computer-readable medium" to "a tangible computer readable storage medium".

As such, claims 9-15 are rejected as incorporating the deficiencies of a claim upon which it depends.

Claim Rejections - 35 USC § 103

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 7, 9-10, 14, 16-18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lehman (Wayback machine: <http://web.archive.org/web/19970125101157/http://www.albion.com/ngmsn/07chat-sample.html>), hereinafter "Lehman" in view of Bezos (US Patent 6,525,747) in view of Bezos (US Patent 6,525,747) and further in view of Hackbarth et al. (US Pub 2002/0143877), hereinafter "Hackbarth"

As claim 1, Lehman teaches a method for saving a transcript of instant messaging (IM) chat sessions, the method comprising:
receiving an indication to save an IM chat transcript of the IM chat session (page 10 - fig. 105);
and saving the IM chat transcript in response to receiving the, indication to save the IM chat transcript (page 10 - fig. 104).

Lehman does not teach providing an email interface for sending an email message, the email interface including at least one recipient.

However, Bezos teaches providing an email interface for sending an email message (fig. 5, labels 501, 502; col. 7, lines 5-21), the email interface including at least one recipient (fig. 5, label 502; col. 7, lines 5-10). Therefore, it would have been obvious

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to one of ordinary skill in the art at the time the invention was made to modify Lehman by providing an email interface for sending an email message, the email interface including at least one recipient as taught by Bezos in order to provide an email.

Lehman and Bezos do not teach receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface.

However, Hackbarth teaches receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface (fig. 2, label 214; par [0052], lines 9-15; fig. 8, labels 419, 801, 803, 808, 809; par [0230]; par [0232]; fig. 9, labels 901, 905, 908; par [0243]; par [0244]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lehman and Bezos by receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface as taught by Hackbarth in order to provide a direct way to launch an IM chat from a received email.

As claim 9, Lehman teaches the code adapted to instruct a programmable (page 10, fig. 105 - the dialog box instructing the user to save the chat history) device to receive an indication to save the IM chat transcript of an IM chat session (page 10 - fig. 105); and the code adapted to instruct a programmable device to save an IM chat transcript in response to receiving indication to save the IM chat transcript (page 10 - fig. 104).

Lehman does not teach the code adapted to instruct a programmable device to provide an email interface for sending an email message, the email interface including at least one recipient.

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However, Bezos teaches the code adapted to instruct a programmable device to provide an email interface for sending an email message (fig. 5, labels 501, 502; col. 7, lines 5-21), the email interface including at least one recipient (fig. 5, label 502; col. 7, lines 5-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lehman by having the code adapted to instruct a programmable device to provide an email interface for sending an email message, the email interface including at least one recipient as taught by Bezos in order to provide an email.

Lehman and Bezos do not teach the code adapted to instruct a programmable device to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface.

However, Hackbarth teaches the code adapted to instruct a programmable device to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface (fig. 2, label 214; par [0052], lines 9-15; fig. 8, labels 419, 801, 803, 808, 809; par [0230]; par [0232]; fig. 9, labels 901, 905, 908; par [0243]; par [0244]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lehman and Bezos by having the code adapted to instruct a programmable device to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface as taught by Hackbarth in order to provide a direct way to launch an IM chat from a received email.

Lehman does not teach the code is a computer-readable code and a computer-readable medium comprising: a tangible computer-readable medium encoded with

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instructions for execution.

However, Bezos teaches the code is a computer-readable code (col. 8, lines 18-26) and a computer-readable medium (fig. 9; col. 8, lines 18-21) comprising: a tangible computer-readable medium encoded with instructions for execution (col. 8, lines 18-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lehman by having the code is a computer-readable code and a computer-readable medium comprising: a tangible computer-readable medium encoded with instructions for execution as taught by Bezos in order to provide instructions encoded on a computer-readable medium.

As claim 16, Lehman teaches a system for saving a transcript of instant messaging (IM) chat sessions, the system comprising:
means for receiving an indication to save an IM chat transcript of the IM chat session (page 10 - fig. 105);
and means for saving the IM chat transcript in response to receiving the indication to save the IM chat transcript (page 10 - fig. 104).

Lehman does not teach the means for providing an email interface for sending an email message, the email interface including at least one recipient.

However, Bezos teaches teach the means for providing an email interface for sending an email message (fig. 5, labels 501, 502; col. 7, lines 5-21), the email interface including at least one recipient (fig. 5, label 502; col. 7, lines 5-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lehman by having the means for providing an email interface for sending an email message, the email interface including at least one recipient as taught by Bezos in order to provide an email.

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Lehman and Bezos do not teach the means for receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface.

However, Hackbarth teaches the means for receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface (fig. 2, label 214; par [0052], lines 9-15; fig. 8, labels 419, 801, 803, 808, 809; par [0230]; par [0232]; fig. 9, labels 901, 905, 908; par [0243]; par [0244]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lehman and Bezos by having teach the means for receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface as taught by Hackbarth in order to provide a direct way to launch an IM chat from a received email.

As claim 17, Lehman teaches a system for saving a transcript of instant messaging (IM) chat sessions, the system comprising:
a second receive component configured to receive an indication to save an IM chat transcript of the IM chat session (page 10 - fig. 105);
and a save component configured to save the IM chat transcript in response to receiving the indication to save the IM chat transcript (page 10 - fig. 104).

Lehman does not teach providing component configured to provide an email interface for sending an email message, the interface including at least one recipient.

However, Bezos teaches providing component configured to provide an email interface for sending an email message (fig. 5, labels 501, 502; col. 7, lines 5-21), the interface including at least one recipient (fig. 5, label 502; col. 7, lines 5-10). Therefore,

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it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lehman by providing component configured to provide an email interface for sending an email message, the interface including at least one recipient as taught by Bezos in order to provide an email.

Lehman and Bezos do not teach a first receive component configured to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface.

However, Hackbarth teaches a first receive component configured to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface (fig. 2, label 214; par [0052], lines 9-15; fig. 8, labels 419, 801, 803, 808, 809; par [0230]; par [0232]; fig. 9, labels 901, 905, 908; par [0243]; par [0244]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lehman and Bezos by having a first receive component configured to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface as taught by Hackbarth in order to provide a direct way to launch an IM chat from a received email.

As claim 2, 10 and 18, Lehman inherently teaches:

receiving an indication to terminate the IM chat session prior to receiving the indication to save the IM chat transcript (page 10, Section Options, first paragraph - Lehman teaches prompting the user to save the history in response to an indication to close the chat window; wherein the indication to terminate is the close command for the window); providing a prompt in response to receiving the indication to terminate the IM chat session (page 10 - fig. 105), the prompt comprising:

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an indication to save the IM chat transcript; and an indication to not save the IM chat transcript (page 10 - fig. 105);

and wherein the step of receiving the indication to save the IM chat transcript is responsive to the step of providing the prompt (page 10 - fig. 105).

As claim 7, 14 and 22, Lehman further teaches saving the IM chat transcript as text file (page 9-10, Section Chat History, fourth paragraph; fig. 104).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3-5, 11-12 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lehman in view of Bezos and Hackbarth and further in view of Kusuda. (US Pub 2003/0088623), hereinafter "Kusuda"

As claim 3, 11 and 19, Lehman, Bezos and Hackbarth do not teach wherein the step of saving the IM chat transcript comprises the step of: saving the IM chat transcript as an IM chat window. However, Kusuda teaches saving the IM chat transcript as an IM chat window (fig. 2; fig. 3, label 412; fig. 4, labels 11, 320 and 314; fig. 5; par [0057]-[0058] and [0115]). Therefore, it would have been obvious to one of ordinary skill in the

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art at the time the invention was made to modify Lehman, Bezos and Hackbarth by saving the IM chat transcript as an IM chat window as taught by Kusuda in order to save IM Chat session in Hypertext Markup Language (HMTL) is a benefit giving the user the ability to save the text and embedded images from an IM chat session for historical purposes and further after saving allow the chat session to be viewed in a freely available web browser.

As claim 4, Lehman further teaches wherein the IM chat window comprises a record of IM events, the IM events being selected from a group consisting of: a list of participants in the IM chat session (page 4 - fig. 101).

As claim 5, 12 and 20, Lehman further teaches converting the IM chat transcript to a text file (page 9-10, Section Chat History, fourth paragraph; fig. 104).

7. Claims 6, 13 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lehman in view of Bezos, Hackbarth and Kusuda and further in view of Gusler et al. (US Pub 2003/0105815), hereinafter "Gusler"

As claim 6, 13 and 21, Lehman, Bezos, Hackbarth and Kusuda do not teach converting the IM chat transcript to an email message.

However, Gusler teaches converting the IM chat transcript to an email message (par [0041]-[0042, converting the IM chat transcript to an email message is inherent by having the ability to provide the transcripts in a variety of different ways to including free text, encrypted text, and binary files readable by any other standard text processing software). Therefore, it would have been obvious to one of ordinary skill in the art at the

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time the invention was made to modify Lehman, Bezos, Hackbarth and Kusuda by converting the IM chat transcript to an email message as taught by Gusler in order to communicate a copy of the transcript to a parent, guardian or other designated representative allowing them to examine the transcript to determine if inappropriate contacts are occurring.

9. Claims 8, 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lehman in view of Bezos and Hackbarth and further in view of Gusler et al. (US Pub 2003/0105815), hereinafter "Gusler"

As claim 8, 15 and 23, Lehman, Bezos and Hackbarth do not teach saving the IM chat transcript as an email message.

However, Gusler teaches saving the IM chat transcript as an email message (par [0041], saving the IM chat transcript as an email message is inherently a step prior to sending an email message to a recipient). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lehman, Bezos and Hackbarth by saving the IM chat transcript as an email message as taught by Gusler in order to communicate a copy of the transcript to a parent, guardian or other designated representative allowing them to examine the transcript to determine if inappropriate contacts are occurring.

Response to Arguments

10. Applicant's arguments filed 01/11/2007 have been fully considered but they are

not persuasive. Therefore, rejected to claims 1-23 is maintained.

a. Applicant argues that "receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface" and "saving the IM chat transcript in response to receiving the indication to save the IM chat transcript" as recited in claim 1, as amended.

In response, Examiner respectfully submits that Lehman clearly teaches a method for "saving the IM chat transcript in response to receiving the indication to save the IM chat transcript". However, to include additional references by combining Bezos and Hackbarth teachings to "receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface". Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lehman, Bezos and Hackbarth, to disallow all limitations of claim 1, as amended.

b. Applicant argues that claim 9, as amended, is allowable for at least the reason that the cited art fails to disclose, teach, or suggest a "tangible computer-readable medium encoded with instructions for execution", comprising, "computer-readable code adapted to instruct a programmable device to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface" and "computer-readable code adapted to instruct a programmable device to save the IM chat transcript in response to receiving the indication to save the IM chat transcript" as recited in claim 9, as amended.

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In response, Examiner respectfully submits that claim 9, as amended is still disallowed, as stated in the Detailed Action. Lehman clearly teaches "computer-readable code adapted to instruct a programmable device to save the IM chat transcript in response to receiving the indication to save the IM chat transcript". However, to combine further teachings of Bezos and Hackbarth who teach a "tangible computer-readable medium encoded with instructions for execution" and "computer-readable code adapted to instruct a programmable device to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface". Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lehman, Bezos and Hackbarth, to disallow all limitations of claim 9, as amended.

c. Applicant argues that this is different than "computer-readable code adapted to instruct a programmable device to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface... [and] computer-readable code adapted to instruct a programmable device to save the IM chat transcript in response to receiving the indication to save the IM chat transcript" as recited in claim 9, as amended.

In response, Examiner respectfully submits that applicant's argument has been noted, and is disallowed as stated above.

d. Applicant argues that claim 16, as amended, is allowable for at least the reason that the cited art fails to disclose, teach, or suggest a "system for saving a transcript of instant messaging (IM) chat sessions", the system comprising, "means for

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receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface" and "means for saving the IM chat transcript in response to receiving the indication to save the IM chat transcript" as recited in claim 16, as amended.

In response, Examiner respectfully submits that the definition of a "system" as defined by The American Heritage® Dictionary of the English Language, Fourth Edition. Retrieved January 31, 2007, from Dictionary.com website as a "A network of related computer software". Lehman clearly teaches that software is present that when the dialog box (fig. 105) appears it is derived from software (e.g., logic or instructions). However, to further combine the teachings of Bezos and Hackbarth who teach a "means for receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface". Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lehman, Bezos and Hackbarth, to disallow all limitations of claim 16, as amended.

e. Applicant argues that this is different than "means for receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface" and "means for saving the IM chat transcript in response to receiving the indication to save the IM chat transcript" as recited in claim 16, as amended. For at least this reason, claim 16, as amended, is allowable over the cited art.

In response, Examiner respectfully submits that applicant's argument has been noted, and is disallowed as stated above.

f. Applicant argues that claim 17, as amended, is allowable for at least the

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reason that the cited art fails to disclose, teach, or suggest a "system for saving a transcript of instant messaging (IM) chat sessions", the system comprising, "a first receive component configured to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface" and "a save component configured to save the IM chat transcript in response to receiving the indication to save the IM chat transcript" as recited in claim 17, as amended.

In response, Examiner respectfully submits that Lehman clearly teaches "system for saving a transcript of instant messaging (IM) chat sessions" and "a save component configured to save the IM chat transcript in response to receiving the indication to save the IM chat transcript". However, to further combine the teachings of Bezos and Hackbarth who teach a "means for receiving an indication to launch an IM chat session with at least one recipient of the email message from the email interface". Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lehman, Bezos and Hackbarth, to disallow all limitations of claim 16, as amended.

h. Applicant argues that this is different than "a first receive component configured to receive an indication to launch an IM chat session with at least one recipient of the email message from the email interface" and "a save component configured to save the IM chat transcript in response to receiving the indication to save the IM chat transcript" as recited in claim 17, as amended. For at least this reason, claim 17, as amended, is allowable over the cited art.

In response, Examiner respectfully submits that applicant's argument has been noted, and is disallowed as stated above.

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i. Applicant respectfully traverse this rejection on the grounds that Lehman does not disclose, teach, or suggest all of the claimed elements. More specifically, dependent claims 2 and 7 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 1. Dependent claims 10 and 14 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 9. Dependent claims 18 and 22 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 17.

In response, Examiner respectfully submits that dependent claims 2, 7, 10, 14, 18 and 22 are still disallowed based on independent claims 1, 9 and 17 as stated above.

j. Applicant respectfully traverse this rejection for at least the reason that Lehman in view of Kusuda fails to disclose, teach, or suggest all of the elements of claims 3 - 5, 11 - 12, and 19 - 20. More specifically, dependent claims 3 - 5 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 1. Dependent claims 11 - 12 are believed to be allowable for at least the reason that they depend from allowable independent claim 9. Dependent claims 19 - 20 are believed to be allowable for at least the reason that they depend from allowable independent claim 17.

In response, Examiner respectfully submits that dependent claims 3, 5, 11, 12, 19 and 20 are still disallowed based on independent claims 1, 9 and 17 as stated above.

k. Applicant respectfully traverse this rejection for at least the reason that Lehman in view of Kusuda further in view of Gusler fails to disclose, teach, or suggest all

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of the elements of claims 6, 8, 13, 15, 21, and 23. More specifically, dependent claims 6 and 8 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 1. Dependent claims 13 - 15 are believed to be allowable for at least the reason that they depend from allowable independent claim 9. Dependent claims 21 - 23 are believed to be allowable for at least the reason that they depend from allowable independent claim 17.

In response, Examiner respectfully submits that dependent claims 6, 8, 13, 15, 21, and 23 are still disallowed based on independent claims 1, 9 and 17 as stated above.

m. Applicant respectfully traverse that the Office Action fails to adequately establish that the subject matter of claims 2, 10, and 18 is necessarily present. As the Office Action fails to provide any extrinsic evidence that makes clear that the missing descriptive matter is necessarily present, Applicants respectfully submit that inherency has not been established. In accordance with *In re Robertson*, Applicants traverse the inherency finding, and submit the claims 2, 10, and 18 are allowable over the cited art.

In response, Examiner respectfully submits that it is inherently taught and clearly defined by Lehman for "prompting the user to save the history in response to an indication to close the chat window; wherein the indication to terminate is the close command for the window". This is further inherently taught by presenting the option for saving the chat history before exiting requiring a user input (yes/no/cancel) (fig. 105).

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Carleton whose telephone number is 571-270-1258. The examiner can normally be reached on Monday-Friday (8:30AM-5:00PM).

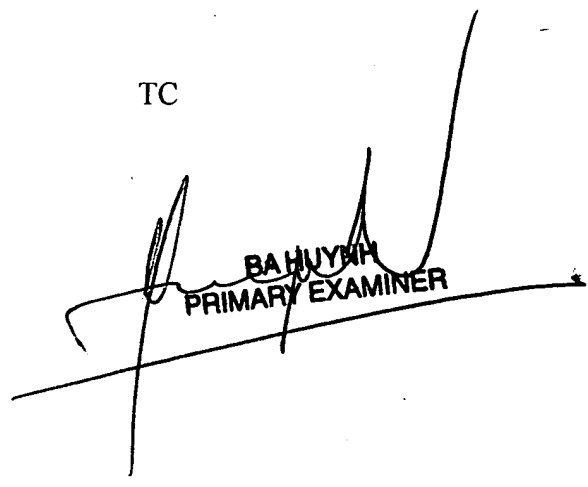
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TC


BA HUYNH
PRIMARY EXAMINER